

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM

Sections 3 and 7

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Marilyn Baldonado	CHCJ-003-0059A
Joseph D. Montoya	CHCJ-003-0053
Luggie Montaño	CHCJ-003-0039
Thomas Montaño	CHCJ-003-0039
Zaqueo Salazar	CHCJ-003-0059B
JTB Holdings, LLC	CHCV-005-0007

and as grounds therefore plaintiff states:

1. Defendants Marilyn Baldonado, Joseph D. Montoya, Luggie Montaño, Thomas Montaño and Zaqueo Salazar are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed November 26, 2008 (Doc. No. 9330). Defendant JTB Holdings, LLC is in default for failure to appear, answer, or otherwise defend in this

cause, as shown by the Clerk's Certificate of Default filed November 26, 2008 (Doc. No. 9331).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the Office of the State Engineer Hydrographic Surveys for Sections 3 and 7 of the Rio Chama Stream, as amended.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
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P.O. Box 25102
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2 day of December, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Marilyn Baldonado
P.O. Box 80852
Albuquerque, NM 87198-0852

Joseph D. Montoya
P.O. Box 561
Canjilon, NM 87515

Luggie Montaña
Thomas Montaña
5140 Lomas de Atrisco Rd., NW
Albuquerque, NM 87105

Zaqueo Salazar
P.O. Box37
Cañones, NM 87516

JTB Holdings, LLC
c/o Kenneth A. Hunt
2632 Mesilla St. NE
Albuquerque, NM 87110

/s/ Ed Newville
EDWARD G. NEWVILLE